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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/803,551
Filing Date: March 18, 2004
Appellant(s): DEAN, MICHAEL ANTHONY

Charles A. Bieneman
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed September 14, 2007 appealing from the

Office action mailed April 20, 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,038,560   WICAL   03-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kelly Wical

(Patent No. 6,038,560).

For claim 1, Wical teaches "parsing statements from at least one Semantic Web

structured resource to identify component words" (Col. 5, lines 42-Col. 7, lines 33, Col.27, lines

15-Col. 28, lines 58);

"constructing an index from said component words, said index relating said component

words to said statements" (Col. 6, lines 64-Col. 7, lines 2, Col. 29, lines 32-Col. 30, lines 6);

"comparing said component words to a search term to identify matching words,

identifying related ones of said statements for said matching words based on said index" (Col. 1,

lines 26-34, Col. 29, lines 32- 57);

"obtaining predicates, instances, types of said instances, and literal values of said related ones of said statements" (Col.4, lines 45-62); and

"summarizing said predicates, instances, types, and literal values for presentation to a user as said search results" (Col. 4, lines 51-62, Col. 25, lines 34-39, Col. 32, lines 17- 33).

For claim 2, Wical teaches "arranging said predicates, instances, types, and literal values into one or more graphical representations" (Col. 4, lines 45-62, Fig. 10a&b-Fig. 12); and "grouping said graphical representations according to at least one of said types and said literal values" (Col. 4, lines 45-62).

For claim 3, Wical teaches

"identifying Semantic Web structured resources to obtain identified Semantic Web structured resources" (Col. 2, lines 23-40, Col. 5, lines 28-41);

"gathering statements from said identified Semantic Web structured resources to obtain gathered statements" (Col. 2, lines 43-53, Col. 5, lines 28-58);

"presenting said gathered statements for parsing of said gathered statements" (Col. 5, lines 42-Col. 7, lines 33, Col.27, lines 15-Col. 28, lines 58);

"wherein constructing an index comprises updating said index based on the parsing of said gathered statements" (Col. 6, lines 34-Col. 7, lines 22, Col. 29, lines 32-Col. 30, lines 6).

For claims 4, 7, 13 and 15, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 2 and are similarly rejected.

For claim 5, Wical teaches

"visiting sites on a network to identify Semantic Web structured resources" (Col. 1, lines 26-30, Col. 2, lines 23-40, Col. 5, lines 28-41);

"gathering statements from said Semantic Web structured resources" (Col. 2, lines 43-67, Col. 5, lines 28-41)

"parsing of said statements to identify component words" (Col. 5, lines 42-Col. 7, lines 33, Col. 27, lines 15-Col. 28, lines 58);

"constructing an index from said component words, said index relating said component words to said statements" (Col. 6, lines 34-Col. 7, lines 2, Col. 29, lines 32-Col. 30, lines 6);

"storing said index as said database on said computer-readable medium"(Col. 31, lines 48-67, Col. 32, lines 1-16, Col. 32, lines 34-50); and

"updating said database by iteratively performing said visiting, said gathering, said parsing, said constructing, and said storing" (Col. 6, lines 34-61).

For claim 6, Wical teaches "obtaining predicates, instances, types of said instances, and literal values of said statements related to search terms of said query by said index" (Col. 4, lines 45-62); and "summarizing said predicates, instances, types, and literal values for presentation to a user as said search results" (Col. 4, lines 51-62, Col. 32, lines 17-33).

For claim 8 this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected.

For claim 9, Wical teaches "means for arranging said predicates, instances, types, and literal values into one or more graphical representations" (Col. 4, lines 45-62, Fig. 10a&b-Fig.

12); and "means for grouping said graphical representations according to at least one of said types and said literal values" (Col. 4, lines 45-62).

For claim 10, Wical teaches "means for identifying Semantic Web structured resources to obtain identified Semantic Web structured resources" (Col. 2, lines 23-40, Col. 26, lines 23-40 Col. 5, lines 28-41); "means for gathering statements from said identified Semantic Web structured resources to obtain gathered statements" (Col. 2, lines 43- 67,Col. 5, lines 28-41); "means for presenting said gathered statements for parsing of said gathered statements" (Col. 5, lines 42-Col. 7, lines 33, Col. 27, lines 15-Col. 28, lines 58); "means for iteratively invoking said means for identifying, said means for gathering and said means for presenting (Col. 2, lines 43-53, Col. 26, lines 23-40, Col. 27, lines 15-28); and "wherein said processor comprises means for updating said index based on the parsing of said gathered statements" (Col.6, lines 34-Col. 8, lines 11, Col. 27, lines 31-34).

For claim 11 this claim is rejected on grounds corresponding to the arguments given above for rejected claim 9 and is similarly rejected.

For claims 12-14 these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-3 and are similarly rejected.

(10) Response to Argument

A. Independent claims 1, 5, 8 and 12 (Ground of rejection No. 1)

1. "Semantic Web structured resources"

Claims 1, 5, 8 and 12

As per claims 1, 5, 8 and 12 appellant argued that Wical's teachings does not include

Semantic web structured resources. On the contrary Wical's teachings at Col. 2, lines 23-40

indicate the use of the internet or World Wide Web to locate information. Wical's invention

includes the use of a search and retrieval system which will involve using the web Wical's

search and retrieval system includes documents labeled document 130, i.e. the document may

be articles, books, periodical etc. The document is a complication of information from any

source, equivalent to appellant's resources (collection of page in the specification) and the

documents may be accessed via a network, (Col. 5, lines 28- 41)

2. "Component words"

Claims 1, 5 and 12

Appellant argued that Wical's teachings does not include "parsing statements from at

least one Semantic Web structured resource to identify component words". Wical's teachings at

Col. 2, lines 23-40 indicate the use of the internet or World Wide Web to locate information.

Wical's invention includes the use of a search and retrieval system which will involve using the

web. Furthermore, Wical's search and retrieval system includes documents labeled document

130, wherein the document may be articles, books, periodical etc. However, the document is a

complication of information from any source, equivalent to appellant resources (collection of

page in the specification) and the documents may be accessed via a network (Col. 5, lines 28-

41). Appellant agreed on page 21 of the appeal brief that "Wical only teaches parsing

documents to extract themes and does not parse statements extracted from documents to

identify a component word". On the contrary at Col. 27, lines 31-34 Wical teaches the linguistic

engine extracting topics and content carry words through the use of the thematic tags, for each

sentence in the documents, which reads on appellants claim of (parsing statements to identify

component words). Col. 27, lines 59-67 also discloses parsing to identify the content (words) of

the document. Col. 28, lines1- 58 further teaches Wical's parsing to identify content of

documents.

3. "index relating component words to statements"

Claims 1, 5 and 12

Appellant argued that Wical does not teach "constructing an index from said component

words, said index relating said component words to said statements". On the contrary at Col. 6,

lines 64-Col. 8, lines 11 Wical's teachings includes a document theme vector 160 that includes

a list of themes(i.e, restaurant) for a document to define the content (component words) of that

document. However, Wical's teachings includes a restaurant review column may consist of

words that are associated with a restaurant, such as food quality, Meal presentation or service

(component words). Thus teachings are synonymous to appellant's claim of an index relating

component words to statements.

B. Independent claims 1, 8 and 12 and dependent claim 6 (Ground of rejection No. 1)

"Obtaining predicates, instances, types of said instances and literal values of said related ones of said statements"

Claims 1, 6, 8 and 12

Appellant also argued that Wical does not teach "obtaining predicates, instances, types

of said instances, and literal values of said related ones of said statements". However, at Col. 4,

lines 45-62, Wical's teachings includes a search using a query term Stock, the search and

retrieval system responses may include a first list of documents (list of documents implies that

more than one document is retrieved, which also reads on appellant's instances) under the

category "financial securities" which is synonymous to appellants predicates. The search and

retrieval system responses may also include a second list of documents (list of documents

implies that more than one document is retrieved, which also reads on appellant's instances)

under the category animals which is synonymous to appellants predicates. The search and

retrieval system responses may also include a third list of documents (list of documents implies

that more than one document is retrieved, which also reads on appellant's instances) under the

category race automobiles which is synonymous to appellants predicates. However, based on

Wical's teachings, the list of documents represents appellant's instance likewise the financial

security is synonymous to the type of instance. Furthermore, the result of the search "stock"

could be divided into 3 categories: Category 1-3 which are the financial security, animal and

race automobile, which is synonymous to appellant's literal value.

Appellant argued that Wical does not teach summarizing statements extracted from web

resources. However, appellant is arguing limitation that was not claimed.

Appellant also argued that Wical does not teach "summarizing said predicates,

instances, types, and literal values for presentation to a user as said search results". On the

contrary at Col. 4, lines 45-62, Wical's teachings includes a search using a query term Stock,

the search and retrieval system responses may include a first list of documents (list of

documents implies that more than one document is retrieved, which also reads on appellant's

instances) under the category "financial securities" which is synonymous to appellants

predicates. The search and retrieval system responses may also include a second list of

documents (list of documents implies that more than one document is retrieved, which also

reads on appellant's instances) under the category animals which is synonymous to appellants

predicates. The search and retrieval system responses may also include a third list of

documents (list of documents implies that more than one document is retrieved, which also

reads on appellant's instances) under the category race automobiles which is synonymous to

appellants predicates. However, based on Wical's teachings; the list of documents represents

appellant's instance likewise the financial security is synonymous to the type of instance.

However, the result of the search "stock" could be divided into 3 categories: Category1-3 which

are the financial security, animal and race automobile, which is synonymous to appellant's literal

Value. Furthermore, at Col. 25, lines 34-39 of Wical's teachings, in response to the query stock,

different categories are identified and are ranked according to their relevance, therefore when

the result; Portfolios (type) is selected by the user; it displays 4 documents (instances) as

classified in the portfolios category, which is synonymous to appellant's teachings.

C. Independent claim 5 and dependent claim 3, 10 and 14 (Ground of rejection No. 1)

Claims 3, 5, 10 and 14

Appellant argued that Wical does not teach "gather statements from said identified

semantic web structure resources to obtain gathered statement and present said gather

statements for parsing of said gathered statements". On the contrary Wical's teaching at Col. 2,

lines 43-67 are synonymous to appellant's teachings. Wical's teachings at Col. 2, lines 23-40

indicate the use of the internet or World Wide Web to locate information. Wical's invention

includes the use of a search and retrieval system which will involve using the Web. In Col. 2,

lines 61-67, Wical teaches, content processing system of the search and retrieval system,

processes a plurality of documents to identify themes for a document, and classifies the

documents, including themes identified for the documents, in categories of the knowledge base, which is synonymous to appellant's teachings of gather statements from said identified semantic web structure resources to obtain gathered statement. Wical also teaches at Col. 27, lines 31-34, the linguistic engine extracting topics and content carry words through the use of the thematic tags, for each sentence in the documents, which indicates that sentences are been parsed however, it reads on appellants claim of (parsing statements).

D. Dependent claims 2, 4, 7, 11, 13 and 15 (Ground of rejection No. 1)

Claims 2, 4, 7, 9, 11, 13 and 15

Appellant argued that Wical does not teach "arranging said predicates, instances, types, and literal values into one or more graphical representations". Appellant further argued that even if Wical's themes and categories read on two of the predicates, instances, types, and literal value, Wical would still fail to teach or suggest at least two of the four claimed features requiring graphical representation. On the contrary Col. 4, lines 59-62 of Wical's teachings a user is presented with different contextual association in response to input of a search query that has more than one sense (stock). Likewise Fig. 10a&b-Fig. 12 of the drawings indicates the results could be displayed using the internet to the user. Furthermore Wical's teachings at Col. 4, lines 45-62, the search and retrieval system presents the results relative to a classification system reflecting content associated with the query result. However, a search using a query term Stock, the search and retrieval system response may include a first list of documents (list of documents implies that more than one document is retrieved, which also reads on appellant's instances) under the category "financial securities" which is synonymous to appellants predicates. The search and retrieval system responses may also include a second list of documents (list of documents implies that more than one document is retrieved, which also

reads on appellant's instances) under the category animals which is synonymous to appellants

predicates. The search and retrieval system responses may also include a third list of

documents (list of documents implies that more than one document is retrieved, which also

reads on appellant's instances) under the category animals which is synonymous to appellants

predicates. However, based on Wical's teachings; the list of documents represents appellant's

instance likewise the financial security is synonymous to the type of instance. However, the

result of the search "stock" could be divided into 3 categories; Category 1-3 which are the

financial security, animal and race automobile, which is synonymous to appellant's literal value.

Furthermore, at Col. 25, lines 34-39 of Wical's teachings, in response to the query stock,

different categories are identified and are ranked according to their relevance, therefore when

Portfolios (type) is selected by the user; it displays 4 documents (instances) as classified in the

portfolios category, which is synonymous to appellant's teachings.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related

Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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